

UNITED STATES OF AMERICA :

v. : Mag. No. 12-3015

GUY HICKS : ORDER

and the defendant's conviction for an offense under state law that is based upon one of the events that is alleged to also give rise to the federal criminal charge set forth in the Complaint

therefore not being barred by the double jeopardy clause;

IT IS THEREFORE ON THIS 14th day of August, 2012

ORDERED that the defendant Hicks' motion to dismiss [ECF No.79] is denied.

s/Patty Shwartz

UNITED STATES MAGISTRATE JUDGE